

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, D.C. 20268-0001

COMPETITIVE PRODUCT PRICES
EXPRESS MAIL & PRIORITY MAIL CONTRACT 7 (MC2009-32)
NEGOTIATED SERVICE AGREEMENT

Docket No. CP2009-43

**MOTION OF THE UNITED STATES POSTAL SERVICE
FOR TEMPORARY RELIEF**
(July 19, 2012)

In PRC Order No. 85, the Commission noted that it “stands ready to act quickly on requests for temporary relief based on extenuating circumstances” that threaten to interrupt the provision of rates to a customer as a result of the regulatory process and the statutory requirement of 39 U.S.C. § 3632(b)(3).¹ The customer whose competitive product rates were established in this docket wishes to renew its commitment to sending large volumes of Express Mail and Priority Mail for the next year at negotiated rates. By the terms of the contract filed in this docket, the current rates will expire on July 27, 2012.

The Postal Service and the customer have reached an agreement on a contract amendment to extend the negotiated rates through January 2013. The Postal Service has today filed that amendment with the Commission. However, the Postal Service recognizes that the Commission will likely be unable to complete its review of the amendment prior to the July 27 expiration date. Thus, the customer now faces the prospect of an interruption in its access to negotiated rates as a result of the processes

¹ PRC Order No. 85, Order Concerning Global Plus Negotiated Service Agreements, June 27, 2008, at 10 (Order No. 85). In relevant part, 39 U.S.C. § 3632(b)(3) requires that rates not of general applicability established for competitive products be filed with the Commission at least 15 days in advance of their effective date.

that it must participate in when it does business with the Postal Service, rather than with one of the Postal Service's competitors.

To avoid this result, the Postal Service respectfully requests that the Commission grant a temporary extension to allow the existing contract to remain in effect until such time as the Commission is able to complete its review of the amendment that has been filed today. Thus, the proposed extension would only last for a finite and relatively short period of time. In conclusion, for the reasons discussed above, and in consideration of the customers' business continuity, the Postal Service hereby moves for temporary relief to allow the existing contract to remain on the competitive products list until the Commission completes its review of the contract amendment.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

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July 19, 2012